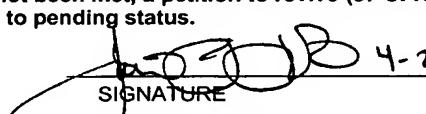


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|---|--|--|--|
| FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE<br>(REV. 12-2004)  |  | ATTORNEY'S DOCKET NUMBER<br>P33127USw                                      |  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES</b><br><b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b><br><b>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>   |  | <b>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</b><br><b>10/532371</b> |  |
| INTERNATIONAL APPLICATION NO.<br>PCT/EP2003/01164   | INTERNATIONAL FILING DATE<br>20 October 2003 | PRIORITY DATE CLAIMED<br>22 October 2002                                   |  |
| <b>TITLE OF INVENTION</b><br><b>Aryloxyalkylamine Derivatives as H3 Receptor Ligands</b>  |  |  |  |
| <b>APPLICANT(S) FOR DO/EO/US</b><br><b>Desmond John BEST, Gordon BRUTON, Thomas Daniel HEIGHTMAN, Barry Sidney ORLEK</b>  |  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |  |  |
| 1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.<br>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.<br>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.<br>4. <input type="checkbox"/> The US has been elected (Article 31).<br>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))<br>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).<br>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.<br>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).<br>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<br>a. <input type="checkbox"/> is attached hereto.<br>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).<br>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))<br>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).<br>b. <input type="checkbox"/> have been communicated by the International Bureau.<br>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.<br>d. <input checked="" type="checkbox"/> have not been made and will not be made.<br>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).<br>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).<br>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).<br>11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).<br>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). |  |  |  |
| <b>Items 13 to 23 below concern document(s) or information included:</b>  |  |  |  |
| 13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.<br>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.<br>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.<br>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.<br>17. <input type="checkbox"/> A substitute specification.<br>18. <input type="checkbox"/> A power of attorney and/or change of address letter.<br>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13 <sup>ter</sup> .2 and 37 CFR 1.821 - 1.825.<br>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).<br>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).<br>22. <input checked="" type="checkbox"/> Express Mail Label No. EV332065624US<br>23. <input checked="" type="checkbox"/> Other items or information:<br><b>Copy of PCT Publication coverpage; Copy of PCT Request</b>   |  |  |  |

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|  |                             |  |               |  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
|--|-----------------------------|--|---------------|--|------------------|-------------------------------------|-----------------------------|----------|---------------|------------|-------------------------------------|--------------------------|----------|----|----------|-------------------------------------|---------------------|----------|----|----------|--------------------------------------|--|------------------|----|-----------------|
| U.S. APPLICATION NO (if known, see 37 CFR 1.5)<br><b>10/532371</b>   |                             | INTERNATIONAL APPLICATION NO.<br><b>PCT/EP2003/01164</b>               |               | ATTORNEY'S DOCKET NUMBER<br><b>P33127USw</b>   |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| 24. The following fees are submitted:  |                             |  |               | <table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td>a) Basic national fee .....</td> <td>\$300.00</td> <td>Applicant use</td> <td>Office use</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>b) Examination fee .....</td> <td>\$200.00</td> <td>\$</td> <td>\$200.00</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>c) Search fee .....</td> <td>\$500.00</td> <td>\$</td> <td>\$400.00</td> </tr> <tr> <td colspan="2"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td><b>\$1000.00</b></td> <td>\$</td> <td><b>\$900.00</b></td> </tr> </table> |                  | <input checked="" type="checkbox"/> | a) Basic national fee ..... | \$300.00 | Applicant use | Office use | <input checked="" type="checkbox"/> | b) Examination fee ..... | \$200.00 | \$ | \$200.00 | <input checked="" type="checkbox"/> | c) Search fee ..... | \$500.00 | \$ | \$400.00 | <b>TOTAL OF ABOVE CALCULATIONS =</b> |  | <b>\$1000.00</b> | \$ | <b>\$900.00</b> |
| <input checked="" type="checkbox"/>  | a) Basic national fee ..... | \$300.00   | Applicant use | Office use   |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| <input checked="" type="checkbox"/>  | b) Examination fee .....    | \$200.00   | \$            | \$200.00   |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| <input checked="" type="checkbox"/>  | c) Search fee .....         | \$500.00   | \$            | \$400.00   |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |                             | <b>\$1000.00</b>   | \$            | <b>\$900.00</b>  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |                             |  |               |  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| Total Sheets   | Extra Sheets                | Number of each additional 50 or fraction thereof (round up to a whole) |               | RATE   |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| 57 - 100 =   | -43 /50 =                   | 0  |               | x \$250.00   | \$ <b>\$0.00</b> |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).  |                             |  |               | \$   |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| CLAIMS   |                             | NUMBER FILED   | NUMBER EXTRA  | RATE   |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| Total claims   |                             | 4 - 20 =   | 0             | x \$50.00  | \$ <b>\$0.00</b> |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| Independent claims   |                             | 0 - 3 =  | 0             | x \$200.00   | \$ <b>\$0.00</b> |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| MULTIPLE DEPENDENT CLAIMS (if applicable)  |                             | <input type="checkbox"/>   | + \$360.00    | \$   | <b>\$0.00</b>    |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |                             |  |               | \$   | <b>\$900.00</b>  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |                             |  |               | \$   | <b>\$0.00</b>    |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
|  |                             |  |               | <b>SUBTOTAL =</b>  | <b>\$900.00</b>  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |                             |  |               | \$   | <b>\$0.00</b>    |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
|  |                             |  |               | <b>TOTAL NATIONAL FEE =</b>  | <b>\$900.00</b>  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property  |                             |  |               | +  | \$ <b>\$0.00</b> |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
|  |                             |  |               | <b>TOTAL FEES ENCLOSED =</b>   | <b>\$900.00</b>  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
|  |                             |  |               | Amount to be refunded:   | \$               |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
|  |                             |  |               | Amount to be charged:  | \$               |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.   |                             |  |               |  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>07-1392</u> in the amount of <u>\$900.00</u> to cover the above fees. A duplicate copy of this sheet is   |                             |  |               |  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>07-1392</u> . A duplicate copy of this sheet is enclosed.                                |                             |  |               |  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.        |                             |  |               |  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.   |                             |  |               |  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| SEND ALL CORRESPONDENCE TO:  |                             |  |               |  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| <br>4-21-05<br>SIGNATURE<br>James P. Riek<br>NAME<br>39,009  |                             |  |               |  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |
| REGISTRATION NUMBER  |                             |  |               |  |                  |                                     |                             |          |               |            |                                     |                          |          |    |          |                                     |                     |          |    |          |                                      |  |                  |    |                 |

10/532371  
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Docket No.

**P33127USw**

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit |
|-----------------|-------------|----------|--------------|----------------|
|                 |             |          | 23347        |                |

Invention: **Aryloxyalkylamine Derivatives as H3 Receptor Ligands**

I hereby certify that the following correspondence:

**Submission under 35 USC 371, Declaration, Preliminary Amendment, Int'l Preliminary Examination Report, Int'l Search Report, IDS-1449, 13 references, Copy of PCT publication coverpage, Copy of PCT Request**

*(Identify type of correspondence)*

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